REMARKS

Claims 1 and 11 are amended. The amendments were made to Claims 1 and 11 to improve clarity and follow the language of Claim 37, as further described in the following section. Accordingly, Claims 1-59 remain pending. Applicants respectfully request reconsideration and allowance of all pending claims.

Rejections Under 35 U.S.C. §112, first paragraph

The Office rejected Claims 1 and 11 as not supported by the specification. The Applicant respectfully disagrees and believes that the Office has misinterpreted the Claims. However, to further expedite prosecution, the Applicant has amended Claims 1 and 11 to remove the double negative and follow the format of Claim 37, which was not rejected under §112, first paragraph. Accordingly, withdrawal of the rejection is respectfully requested.

Rejections Under 35 U.S.C. §102

Claims 1, 2, 8, 10-19, 25, 28, 36, 37, 39, 40, 43, 49 and 52 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,963,925 to Kolling et al. (herein after Kolling). The Applicant respectfully disagrees.

Claim 1, as amended, recites in part "wherein the recipient can be either a user or a non-user of a secure email system, wherein the non-user has not registered for a service of the secure email system". In contrast, Kolling discloses in FIG. 8, block 708 "consumer requests electronic statement subscription for a biller". Thus, it appears that Kolling's system requires consumers to, in effect, register for a service. Therefore, the Applicant respectfully asserts that Kolling does not disclose the above recited feature of Claim 1.

The Office asserts the following portions of Kolling in rejecting the recited feature of Claim 1:

> It is important for a biller to deliver an invoice to a consumer so that the consumer may then pay the bill presented in the invoice. *Kolling, Col. 3, Lines 14-16.*

> Although the present invention may operate stand-alone, in one embodiment of the invention the electronic statement presentment (ESP) system is an enhancement, or is complimentary to any suitable electronic bill payment system. In one specific embodiment, the ESP system is an enhancement to the electronic bill payment system described in U.S. Pat. No. 5,465,206, and in particular may be integrated with VISA's ePay system to provide full-circle electronic financial transactions for billers and consumers. By introducing electronic statement presentment to an existing electronic bill payment system, an added dimension enables fully automated bill payment. *Kolling, Col. 4, Lines 30-41.*

> A bank or other consumer service provider may also integrate such an electronic statement delivery from a biller into its own electronic home banking product in order to enhance that product and to provide more value to its consumer. In this fashion, a consumer may continue a relationship with his current bank, yet still be able to receive electronic statements from any biller from which the consumer receives a service. Alternatively, a consumer may choose any consumer service provider it desires that might provide electronic statements by way of the present invention. Thus, the present invention enhances the value of the consumer financial institution or consumer service provider in the eyes of the consumer. *Kolling, Col. 5, Lines 17-29.*

> The consumer financial institution may then use any of a variety of means to transmit this electronic statement to the consumer. For example, any electronic home banking service that the consumer financial institution supports may be used to transmit the electronic statement to the consumer. Electronic means such as the Internet, telephones, video telephones, televisions, WebTV, personal digital assistants, or

any other proprietary communication system may be used. *Kolling, Col. 5, Lines 42-50.*

To begin enrollment, in step 704 the CSP advertises biller availability in providing electronic statements to consumers. This advertisement may take place in any of a variety of media that the CSP uses to communicate with its customers such as over the Internet, electronic mail, regular mail, telephone, newspaper advertisements, etc. *Kolling, Col. 26, Lines 25-30.*

As shown in the above excerpted portions, however, Kolling merely describes integrating "the electronic statement presentment (ESP) system" with an "electronic bill payment system". Neither the above excerpted portions of Kolling, nor elsewhere in the Kolling reference, is there disclosure for "wherein the recipient can be either a user or a non-user of a secure email system, wherein the non-user has not registered for a service of the secure email system" as recited in Claim 1. Rather, Kolling describes that each user is enrolled in the system. *See Kolling, FIG. 8 and accompanying discussion at Col. 27, Lines 37-55.*

Further, Claim 1 recites "wherein the amount of bill data included in the email message is based, at least in part, on an email address of a recipient". The Office asserts the following portions of Kolling in rejecting this recited feature, which are excerpted as follows:

A CFI associated with each SGEN delivers each electronic statement to the appropriate customer using a customer identifier in the statement data and uses any chosen medium. *Kolling, Abstract.*

Whereas billers currently use an invoicing system to print statements on paper for mailing, the present invention is able to retrieve electronic statement data from invoicing system 204 for eventual generation of an electronic statement. Statement data 206 sent to biller 102 includes all of the data normally found in an invoice or a statement for a particular

consumer. In one specific embodiment, statement data 206 is transmitted in the form of a statement augmented record (SAR) when the data is sent from biller 102 to SORG 208 and includes the identifier and version of the template that the biller wishes to use in preparing an electronic statement for its customers. Typically, a biller will send a batch or billing round of statement data for numerous customers all at once, although statement data 206 may be sent for a single customer as well.

Template authoring workstation (TAWS) 210 is a computer that may be physically located at, or operated by, the biller, the BSP or the BFI. TAWS 210 utilizes current off-the-shelf authoring software packages and software described herein to create templates that contain the biller's processing instructions for displaying statements and invoices. A template contains the programmed instructions and graphic pattern for statement information to be presented to the consumer and is described in more detail below in FIG. 5. *Kolling, Col. 9, Lines 34-55.*

Although the above excerpted portions describe "generation of an electronic statement", Kolling does not disclose "the amount of bill data included in the email message is based, at least in part, on an email address of a recipient" as recited in Claim 1. Indeed, there is no mention whatsoever of a relationship between an email address and an amount of bill data in Kolling. Rather, the Office asserts that "Kolling adjusts the amount of information to fit the medium". *See Office Action Dated January 27, 2005, Page 3.* It is respectfully submitted that this is not the recited feature.

Accordingly, for at least these reasons it is respectfully submitted that a *prima facie* case of anticipation has not been established with respect to Claim 1. Consequently, withdrawal of the rejection with respect to Claim 1 is respectfully requested.

Claims 2, 8 and 10 depend either directly or indirectly from Claim 1 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in Claim 1, are neither shown nor suggested in the references of record, either singly or in combination with one another.

Claim 11, as amended, recites in part "a financial transaction manager ... to manage access to and manipulation of financial account assets to effect requested financial transactions with any participant or non-participant, wherein the non-participants have not registered for a service of an email system supported by the email server". The Office again asserts Kolling at Col. 33, Line 43 to Col. 44, Line 33 (essentially 11 columns of the reference) as disclosing an email server having a storage medium and financial transaction manager. The Applicant respectfully disagrees.

Again, the Applicant has not been able to determine which component(s) in this very large amount of text correspond to an email server. As stated in the MPEP, the Examiner "ordinarily should reject each claim on all valid grounds available." *M.P.E.P. §707.07(g)*. Further, "[w]here a major technical rejection is proper, it should be stated with a full development of reasons rather than by a mere conclusion coupled with some stereotyped expression." *Id.* Accordingly, the Applicant again respectfully requests a full development of the rejection.

Regardless, Kolling does not disclose, teach or suggest the above recited feature of Claim 11. As previously described in relation to Claim 1, Kolling merely describes integrating "the electronic statement presentment (ESP) system" with an "electronic bill payment system". Neither the above excerpted portions of Kolling, nor elsewhere in the Kolling reference, is there disclosure for the recited

feature of Claim 11. Rather, Kolling describes that each user is enrolled in the system. *See Kolling, FIG. 8 and accompanying discussion at Col. 27, Lines 37-55.*

Accordingly, for at least these reasons it is respectfully submitted that a *prima facie* case of anticipation has not been established with respect to Claim 11. Consequently, withdrawal of the rejection with respect to Claim 11 is respectfully requested.

Claims **12-19, 25, 28** and **36** depend either directly or indirectly from Claim 11 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in Claim 11, are neither shown nor suggested in the references of record, either singly or in combination with one another.

Claim **37** recites, in part, "a financial transaction manager ... to manage access to and control assets of user accounts in response to user interaction with the user interface to enable the user to conduct financial transactions with another user or non-user of the email system, wherein the non-user of the email system has not registered for a service of the email system". The Office asserts the following portion of Kolling in rejecting this feature:

> Although the foregoing invention has been described in some detail for purposes of clarity of understanding, it will be apparent that certain changes and modifications may be practiced within the scope of the appended claims. For instance, the invention may be integrated with any suitable electronic bill payment system. The functionality of the coordinating entity, including the functionality of the TAWS, the SORG, the switch, the SGEN, the TVAL, etc., may be distributed throughout the ESP environment, and may be implemented on separate computers or the functionality may be combined on fewer computers. In particular, the functionality of the SORG, the switch and the SGEN may be implemented centrally on a single computer, or may be

implemented on separate computers. Furthermore, both the SORG and SGEN may be located remotely at a biller and CSP, respectively. Also, the central site switch may be implemented using various computers performing different aspects of the switch functionality. For example, one computer may assist with ESP system functionality, while another assists with an electronic bill payment system. In addition, any format of data from a biller can be used, and the invention is capable of producing statements in a variety of data formats, including PDF, EDI 810, HTML, etc. Furthermore, statements, invoices, account updates, bills, or information of any kind may be transmitted using the present invention from a biller to one of its customers. For presentation of the information to a customer, any of a variety of media may be used to transmit and display the information from a CSP to the customer. Therefore, the described embodiments should be taken as illustrative and not restrictive, and the invention should not be limited to the details given herein but should be defined by the following claims and their full scope of equivalents. *Kolling, Col. 34, Lines 35-67.*

As shown in the above excerpted portion, Kolling does not disclose, teach or suggest a "user" or "non-user". Indeed, the asserted portion does not even include the word "user". Rather, the asserted portion merely describes that the system of Kolling may be implemented on separate computers and that statements may be transmitted using a variety of media. Again, as previously stated in relation to Claims 1 and 11, Kolling merely describes integrating "the electronic statement presentment (ESP) system" with an "electronic bill payment system". Neither the above excerpted portions of Kolling, nor elsewhere in the Kolling reference, is there disclosure for the recited feature of Claim 37. Rather, Kolling describes that each user is enrolled in the system. *See Kolling, FIG. 8 and accompanying discussion at Col. 27, Lines 37-55.*

Accordingly, for at least these reasons it is respectfully submitted that a *prima facie* case of anticipation has not been established with respect to Claim 37.

Consequently, withdrawal of the rejection with respect to Claim 37 is respectfully requested.

Claims 39, 40, 43, 49 and 52 depend either directly or indirectly from Claim 37 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in Claim 37, are neither shown nor suggested in the references of record, either singly or in combination with one another.

Rejections Under 35 U.S.C. §103

Claims 3, 4-6, and 9 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view of Blossman. The Applicant respectfully disagrees.

As discussed above, the Applicant believes that Claim 1 is patentable over Kolling. Blossman does not cure the defects of Kolling, namely with regard to non-users as described above for Claim 1. Thus, the combination of Kolling and Blossman does not teach every element of Claim 1 and, therefore does not make out a *prima facie* case of obviousness. As claims 3, 4-6 and 9 depend from claim 1, Applicants respectfully assert that these claims are patentable over the cited references for at least the same reasons that claim 1 is patentable.

Further, with regard to **Claim 3**, the Office acknowledges that Kolling does not disclose the feature, "wherein the email message includes an address of where the bill data can be confidentially viewed if the recipient is not a participant in a secure email network".

However, the Office then asserts Blossman (Col. 2, Lines 40-45) as disclosing this feature. The Applicant respectfully submits that the asserted

LEE & HAYES, PLLC

21

PAGE 23/33 * RCVD AT 4/8/2005 2:45:26 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/4 * DNIS:8729306 * CSID:509 323 8979 * DURATION (mm-ss):09-08

section of Bloassman does not teach or suggest "constructing the email message to include at least an address of where the bill data may be confidentially viewed if the recipient is a non-user of the secure email system" as recited in Claim 3. For convenience, the asserted portion of Blossman is reproduced below.

> However, the full check image of the Simmons patent is not described as a pictorial image of the actual paper check and is illustrated as a printed line of text conveying the check number, date, amount, etc. Additionally, the Simmons patent discloses the use of electronic mail for the transmission of notifications regarding potential errors.

Although the above reproduced disclosure from Blossman does mention the use of electronic mail for notifications regarding errors, it does not disclose "an address of where the bill data can be confidentially viewed ..." as recited in Claim 3.

Therefore, the Applicant respectfully submits that the combination of Kolling and Blossman does not teach or suggest each and every element of Claim 1, and consequently, does not make out a *prima facie* case of obviousness for this additional reason. As Claims 3, 4-6 and 9 depend from claim 1, the Applicant respectfully asserts that these claims are patentable over the cited references for at least this additional reason that claim 1 is patentable over the cited references.

Claims 26, 27, 38, 50, 51 and 59 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view of U.S. Patent 6,629,081 (hereinafter Cornelius). The Applicant respectfully disagrees.

Claims 26 and 27 depend from claim 11, and claims 38, 50, 51 and 59 depend from claim 37. As discussed above, claims 11 and 37 are distinguished from Kolling. Cornelius is cited as disclosing an electronic auction service, an electronic retail service, and an email system. However, such disclosures do not

overcome the deficiencies of Kolling with regard to Claims 11 and 37. Accordingly, the combination of Kolling and Cornelius do not teach or suggest each and every element of Claims 11 and 37 and, therefore, fail to make out a *prima facie* case of obviousness for claims 11 and 37. As each of Claims 26, 27, 38, 50, 51 and 59 depend from Claim 11 or 37, these dependent claims are patentable over the cited references for at least the reasons that Claims 11 and 37 are patentable over the cited references.

Claims 29, 31, 53 and 55 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view of U.S. Patent 6,678,664 (hereinafter Ganesan). The Applicant respectfully disagrees.

Claims 29 and 31 depend from claim 11, and claims 53 and 55 depend from claim 37. As discussed above, Claims 11 and 37 are distinguished from Kolling. Ganesan is cited as disclosing "wherein the financial transaction manager determines whether to honor the participant's payment when the specified account has insufficient assets to cover the requested payment." Ganesan is also cited as disclosing "honoring a check if adequate prior credit arrangements are made." Ganesan is also cited as disclosing "wherein the financial transaction manager automatically accesses a line of credit associated with the participant to honor the payment when the specified account has insufficient assets to cover the requested payment."

However, such disclosures do not overcome the deficiencies of Kolling with regards to Claims 11 and 37. Accordingly, the combination of Kolling and Ganesan do not teach or suggest each and every element of Claims 11 and 37 and, therefore, fail to make out a *prima facie* case of obviousness for these independent claims. As each of Claims 29, 31, 53, and 55 depend from Claim 11 or 37, these

dependent claims are patentable over the cited references for at least the reasons that Claims 11 and 37 are patentable over the cited references.

Claim 32 stands rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view Ganesan and further in view of Blossman. The Applicant respectfully disagrees.

Claim 32 depends from Claim 11. As discussed above, Claim 11 is patentable over the combination of Kolling and Ganesan. Blossman is cited as disclosing, "wherein the financial transaction manager notifies the participant of the insufficient funds and that the line of credit has been accessed to honor the requested payment."

However, such a disclosure does not overcome the deficiencies of Kolling and Ganesan with regards to Claim 11. Accordingly, the combination of Kolling, Ganesan and Blossman do not teach or suggest each and every element of Claim 11 and, therefore, fails to make out a *prima facie* case of obviousness for Claim 11. As Claim 32 depends from Claim 11, Claim 32 is patentable over the cited references for at least the reasons that Claim 11 is patentable over the cited references.

Claim 30 stands rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view Ganesan and further in view of U.S. Patent 5,649,116 (hereinafter McCoy). The Applicant respectfully disagrees.

Claim 30 depends from claim 11. As discussed above, Claim 11 is patentable over the combination of Kolling and Ganesan. McCoy is cited as disclosing, "wherein the financial transaction manager utilizes a growing model to determine whether to honor the payment when the specified account has insufficient assets to cover the requested payment."

However, such a disclosure does not overcome the deficiencies of Kolling and Ganesan in regards to Claim 11. Accordingly, the combination of Kolling, Ganesan and McCoy do not teach or suggest each and every element of Claim 11 and, therefore, fails to make out a *prima facie* case of obviousness for Claim 11. As Claim 30 depends from Claim 11, Claim 30 is patentable over the cited references for at least the reasons that Claim 11 is patentable over the cited references.

Claim 54 stands rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view McCoy. The Applicant respectfully traverses the rejection.

Claim 54 depends from Claim 37. As discussed above, Claim 37 is patentable over Kolling. McCoy is cited as disclosing, "wherein the financial transaction manager utilizes a growing model to determine whether to honor the payment when the specified account has insufficient assets to cover the requested payment."

However, such a disclosure does not overcome the deficiencies of Kolling with regards to Claim 37. Accordingly, the combination of Kolling and McCoy do not teach or suggest each and every element of Claim 37 and, therefore, fails to make out a *prima facie* case of obviousness for Claim 37. As Claim 54 depends from Claim 37, Claim 54 is patentable over the cited references for at least the reasons that Claim 37 is patentable over the cited references.

Claims 22, 23, 46 and 47 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view of U.S. Patent 6,049,784 (hereinafter Weatherly). The Applicant respectfully disagrees.

Claims 22 and 23 depend from claim 11, and claims 46 and 47 depend from claim 37. As discussed above, claims 11 and 37 are distinguished from Kolling.

Weatherly is cited as disclosing "wherein the financial transaction manager selectively receives assets for deposit in an account of a participant." Weatherly is also cited as disclosing "wherein the assets are received from a brokerage at the request of the participant."

However, such disclosures do not overcome the deficiencies of Kolling in regards to Claims 11 and 37. Accordingly, the combination of Kolling and Weatherly do not teach or suggest each and every element of Claims 11 and 37 and, therefore, fail to make out a *prima facie* case of obviousness for these independent claims. As each of Claims 22, 23, 46 and 47 depend from Claim 11 or 37, these dependent claims are patentable over the cited references for at least the reasons that Claims 11 and 37 are patentable over the cited references.

Claim 7 stands rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view Blossman and further in view of Cornelius. The Applicant respectfully disagrees

Claim 7 depends from Claim 1. As discussed above, Claim 1 is patentable over the combination of Kolling and Blossman. Cornelius is cited as disclosing, "identifying a domain name from the email address; and cross referencing the identified domain name against a list of secure domain names to determine whether the recipient belongs to a secure email network."

Applicants respectfully assert that the cited portion of Cornelius does not teach or suggest identifying a domain name from an email address. Rather, the cited portion of Cornelius appears to be directed to the firewalls shown in FIGS. 37 and 38. As can be seen in FIGS. 37 and 38, the firewalls are directed to protecting web servers and not email servers.

Further, the cited portion of Cornelius does not mention email address; instead it lists "user names and passwords, Internet IP address or domain name." There is no indication of where the domain is obtained. Moreover, the disclosure of web servers in FIGS. 37 and 38 would indicate that the domain name is obtained from web address and not an email address. Therefore, the listing of multiple security techniques does not teach or suggest identifying a domain name from an email address.

However, assuming *for the sake of argument alone* that Cornelius does disclose identifying a domain name from an email address, such a disclosure does not overcome the deficiencies of Kolling and Blossman in rendering Claim 1 obvious. Accordingly, the combination of Kolling, Blossman and Cornelius does not teach or suggest each and every element of Claim 1 and, therefore, fails to make out a *prima facie* case of obviousness for claim 1. As Claim 7 depends from Claim 1, Claim 7 is patentable over the cited references for at least the reasons that Claim 1 is patentable over the cited references.

Claims 24 and 48 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view Weatherly and further in view of U.S. Patent 6,401,079 (hereinafter Kahn). The Applicant respectfully disagrees.

Claim 24 depends from Claim 11, and Claim 48 depends from Claim 37. As discussed above, Claims 11 and 37 are distinguished from Kolling combined with Weatherly. Kahn is cited as disclosing "wherein the assets are received from an employer as compensation to the participant."

However, such a disclosure does not overcome the deficiencies of Kolling combined with Weatherly with regard to Claims 11 and 37. Accordingly, the combination of Kolling, Weatherly and Kahn does not teach or suggest each and

every element of Claims 11 and 37 and, therefore, fails to make out a *prima facie* case of obviousness for these independent claims. As Claims 24 and 48 respectively depend from Claims 11 and 37, these dependent claims are patentable over the cited references for at least the reasons that Claims 11 and 37 are patentable over the cited references.

Claims **20, 21, 44** and **45** stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view of U.S. Patent 5,983,200 (hereinafter Slotznick). The Applicant respectfully disagrees.

Claims 20 and 21 depend from Claim 11, and Claims 44 and 45 depend from Claim 37. As discussed above, Claims 11 and 37 are distinguished from Kolling. Slotznick is cited as disclosing "wherein the first participant does not have a prior knowledge of the second participant's account information, but identifies the second participant from a list of network participants, wherein the second participant is identified by one of a name, an alias, or an email address."

However, such disclosures do not overcome the deficiencies of Kolling in anticipating Claims 11 and 37. Accordingly, the combination of Kolling and Slotznick does not teach or suggest each and every element of Claims 11 and 37 and, therefore, fails to make out a *prima facie* case of obviousness for these independent claims. As each of Claims 20, 21, 44 and 45 depend from Claim 11 or 37, these dependent claims are patentable over the cited references for at least the reasons that Claims 11 and 37 are patentable over the cited references.

Claims **33, 41** and **46** stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view of Kahn. Applicants respectfully traverse.

Claim 33 depends from Claim 11, and Claims 41 and 46 depend from Claim 37. As discussed above, Claims 11 and 37 are distinguished from Kolling.

Kahn is cited as disclosing "wherein the financial transaction manager issues an instruction to have a check issued and sent to an address specified by the request, upon authorization of the participant where the participants are an employer, a payment service, the employer's bank, and the employee payee who can receive a paper check instead of an electronic payment which is authorized by the employer payer."

However, such disclosures do not overcome the deficiencies of Kolling in anticipating Claims 11 and 37. Accordingly, the combination of Kolling and Kahn does not teach or suggest each and every element of Claims 11 and 37 and, therefore, fails to make out a *prima facie* case of obviousness for these independent claims. As each of Claims 33, 41 and 46 depend from Claim 11 or 37, these dependent claims are patentable over the cited references for at least the reasons that Claims 11 and 37 are patentable over the cited references.

Claims 34 and 57 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view of Kahn and further in view of "Wells Fargo Online". The Applicant respectfully traverses the rejection.

Claim 34 depends from Claim 11, and Claim 57 depends from Claim 37. As discussed above, Claims 11 and 37 are distinguished from Kolling combined with Kahn. Wells Fargo Online is cited as disclosing "the inclusion of a URL where the recipient can establish an account."

However, such disclosures do not overcome the deficiencies of Kolling and Kahn with regard to Claims 11 and 37. Accordingly, the combination of Kolling, Kahn and Wells Fargo Online does not teach or suggest each and every element of Claims 11 and 37 and, therefore, fails to make out a *prima facie* case of obviousness for these independent claims. As Claims 34 and 57 respectively

depend from Claim 11 or 37, these dependent claims are patentable over the cited references for at least the reasons that Claims 11 and 37 are patentable over the cited references.

Claims 35, 42 and 58 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kolling in view of Kahn and further in view of U.S. Patent No. 6,442,529 (hereinafter Krishan). Applicants respectfully traverse.

Claim 35 depends from Claim 11, and Claims 42 and 58 depend from Claim 37. As discussed above, Claims 11 and 37 are patentable over Kolling combined with Kahn. Krishan is cited as disclosing "offering a free service product as an incentive for a prospect to try a service."

However, such a disclosure does not overcome the deficiencies of Kolling combined with Kahn in with regard Claims 11 and 37. Accordingly, the combination of Kolling, Kahn and Krishan does not teach or suggest each and every element of Claims 11 and 37 and, therefore, fails to make out a *prima facie* case of obviousness for these independent claims. As each of Claims 35, 42 and 58 depend from Claim 11 or 37, these dependent claims are patentable over the cited references for at least the reasons that Claims 11 and 37 are patentable over the cited references.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe all pending claims are allowable.   Accordingly, a Notice of Allowability is respectfully requested.

Respectfully Submitted,

Dated: _____4/8/5_____   By: _____

William J. Breen III
Reg. No. 45,313
(509) 324-9256 x249

LEE & HAYES, PLLC   31